



UNITED STATES MARINE CORPS
III MARINE EXPEDITIONARY FORCE, FMF
UNIT 35601
FPO AP 96606-5601

ForO 1700.1M

14

30 JUL 1999

FORCE ORDER 1700.1M

From: Commanding General
To: Distribution List

Subj: REQUEST MAST

Ref: (a) MCO 1700.23E
(b) MCO P1900.16E
(c) FMFPacO 1740.1L
(d) Marine Corps Manual
(e) MCO P5354.1C

Encl: (1) Marine Corps Request Mast Application (NAVMC 11296 (6-97))

1. Purpose. To publish the Request Mast policy and procedures as required by reference (a).

2. Cancellation. ForO 1700.1L.

3. Background

a. Request Mast is the officially recognized means for a Marine to communicate with the commander. It includes both the right of the Marine to communicate with the commander and the requirement that the latter personally consider the matter communicated, and personally respond to the Marine requesting mast. On the one hand, it provides the individual Marine with an approved channel to air grievances to, or seek assistance from, those above the Marine's immediate superior. On the other hand, it provides Commanders with first hand knowledge of the morale and general welfare of the command. To be effective, Request Mast must have the wholehearted support of those to whom the leadership of Marines is entrusted. The importance of maintaining the credibility and viability of the procedures set forth in this Order cannot be overemphasized.

b. For the purposes of Request Mast:

(1) "Marine" includes all uniformed personnel of the Armed Forces who are members of the III Marine Expeditionary Force, including those attached to or serving on temporary additional duty.

(2) "Commander" includes the Marine's immediate commanding officer and every commanding officer in the chain of command up to and including the immediate Commanding General.

(3) "Commanding General" includes an officer serving in an acting capacity. Throughout this Order it shall also refer to a general officer in command of a Marine Air-Ground Task Force (MAGTF), which is under the

administrative control of the Commanding General, III Marine Expeditionary Force.

(4) "Communicate" includes the right to appear personally before a commanding officer or the right to correspond with that officer in writing or speak with the officer by telephone, as provided for in this Order. Commanders will make every effort to provide the Marine with an opportunity to Request Mast in person. If personal appearance is not practical, the commander will respond in writing to the Request Mast and will provide an explanation of why a personal appearance was not practical.

4. Policy

a. Request Mast is the principal means for a Marine to formally communicate a grievance to, or to seek assistance from, his or her commander. The process does not include those outside the official chain of command, such as subordinate officers or SNCOs/NCOs. This Order is a lawful general order and is effective immediately without further implementation.

b. Request Mast is not intended to be used for the purpose of harassment, avoiding duty, or intentionally interfering with the commander's ability to carry out the functions and mission of the command.

c. A commander may deny a Request Mast application if there is another specific avenue of redress available to the Marine. Commanders should carefully evaluate each Request Mast to determine if other peripheral issues should be addressed; accordingly, commanders may wish to hear the Marine's presentation of matters before making a decision to deny. The commanding officer will explain to the Marine why the Request Mast application was denied and, if appropriate, what procedure must be followed to resolve the issue. The authority to deny a Request Mast includes authority to refuse to further process the Request Mast. Whenever a commander denies a Request Mast under this authority, he or she will, within a reasonable time, forward a report of such action and the basis therefore to the immediate Commanding General via the chain of command. In cases in which the officer denying a Request Mast is the immediate Commanding General, no such report need be made. The following are some examples to which other avenues of redress apply:

(1) The Uniform Code of Military Justice provides for the protection of the rights of a Marine at every stage of disciplinary action from investigation through final review or appeal. Those rights include the right of a Marine upon whom nonjudicial punishment has been imposed to appeal to the next superior officer in the chain of command, and in the case of one convicted by courts-martial, the right to an automatic review of the findings and sentence. Request Mast is not intended as a means to collaterally attack the proceedings, punishment, or findings and sentence resulting from disciplinary action brought under the Uniform Code of Military Justice. Therefore, a commanding officer may deny a Request Mast which has as its subject such disciplinary action whether contemplated, pending, in progress, or final. The authority to deny a Request Mast in such cases includes authority to refuse to further process the Request Mast.

(2) Chapters 4 and 6 of reference (b) contain provisions for protecting the rights of Marines being processed for involuntary administrative separation. Commanding Officers may deny a Request Mast that has as its subject such involuntary administrative discharge proceedings whether contemplated, pending, in progress, or final.

d. Request Mast is the preferred method for submitting Equal Opportunity formal complaints of discrimination, to include sexual harassment. Request Mast may also be used to address other complaints such as hazing.

e. A Marine does not have to disclose the subject of the Request Mast to anyone in the chain of command except to the commander with whom the Marine is Requesting mast.

f. The right to Request Mast includes the right to appear personally before each commanding officer in the chain of command up to and including the immediate Commanding General except where any such commanding officer or Commanding General is not at the same base or immediate geographic location. In the latter instance, all Marine Corps installations located on Okinawa are considered one base for the purpose of this provision.

g. When the operational commitments of a Marine's command, whether for training or actual employment, would be unreasonably interfered with by adherence to the procedures set forth in this Order, the right of the Marine to Request Mast to a commander above the level of the immediate commanding officer may be suspended by the Commanding General for the duration of the commitment. The authority to suspend will be invoked sparingly and then only to the extent required to ensure the accomplishment of the command's mission. The suspension may and should be lifted in whole or in part at any deployments away from the base or station where the command's garrison headquarters is located. Any such suspension and the reason therefore shall be made known to all Marines whose rights may be affected.

h. Although a Marine may be granted the privilege of forwarding an application for Request Mast with higher commanders, such as the Commandant of the Marine Corps or the Secretary of the Navy, there is no vested right to Request Mast with either.

i. Any interference with a Marine's right to Request Mast or any attempt of reprisal against a Marine who has requested mast is prohibited. No Marine may suppress, or attempt to suppress, another Marine from initiating, writing, or forwarding a Request Mast up the chain of command. Any violation, attempted violation, or solicitation of another to violate this Order by interfering with a Marine's right to Request Mast, subjects involved members to disciplinary action under Article 92 of the UCMJ.

j. Request Masts will be processed without delay. There should be no more than one working day delay at any level from when the request is made to when the Marine sees his/her commander. Also, commanders will hear emergency cases as soon as possible, normally within twenty-four hours of the time the application is initially submitted. For purposes of example, to determine whether a Request Mast is an emergency case, among other things, consider (1) whether the Marine is subject to an ongoing hardship (e.g., delay in receiving pay); (2) the severity of hardship, if any, and (3) if the issue will remain unresolved upon a certain date, time, or expected event in the immediate future (e.g., request for leave to attend a relative's funeral being denied).

k. The commander with whom a Marine has requested mast will forward to the next higher commander those Request Masts deemed to be legitimate

grievances or requests for assistance which are beyond the commander's authority to resolve.

l. Marines confined in correctional facilities have the right to Request Mast. Applications for Request Mast marked "To be opened by the Commanding Officer/Commanding General only," will not be opened by correctional facilities personnel.

m. Marines applying for Request Mast in good faith may do so without fear of reprisal or prejudice to their interest.

n. The Marine's Request Mast issue may not be resolved to his or her satisfaction, but the Marine will be afforded the opportunity to address the issue with the commanding officer.

5. Procedures

a. Enlisted Marines may obtain applications for Request Mast (enclosure (1)) from the unit Administrative Chief, 1st Sergeant, or Sergeant Major. Officers may obtain applications from the unit Adjutant or Executive Officer.

b. Part I of the application for Request Mast (enclosure (1)) must be completed and submitted in writing via the chain of command to the commanding officer with whom mast is desired. A Marine may Request Mast with his/her immediate commanding officer (normally company commander), battalion commander, or the Commanding General. If a Marine does not desire to disclose the subject of the Request Mast to anyone in the chain of command except the officer to whom it is addressed, blocks 8b and 8c of the NAVMC 11298 should read, "I do not wish to reveal the subject of the Request Mast to other commanders in the chain of command; my statement regarding the problem is contained in the accompanying sealed envelope, addressed to the officer identified in block 8a." The Marine may place a written statement in a sealed envelope marked "To be opened by the Commanding Officer/General Only." In such cases, the Marine's statement should explain why he/she did not want to discuss the matter with other commanders in the chain of command.

c. Each intermediate commander will attempt to resolve the Marine's Request Mast issue, if revealed, without delay. If the issue has not been revealed to the intermediate commander or has not been addressed to the Marine's satisfaction, the intermediate commander will forward the NAVMC 11298 to the next commander in the chain of command without delay. If there is more than one working day delay, an explanation must be provided to the Marine and to the next higher echelon commander. All commanders in the chain of command will sign the Request Mast application form and indicate what they have done to attempt to resolve the issue; if space is unavailable on Part II of the NAVMC 11298, attach a separate sheet of paper.

d. Application to Request Mast with the Commanding General, III Marine Expeditionary Force, will be submitted to the III MEF Inspector. Normally Request Masts to the Commanding General, III MEF from the MSC's, will be forwarded by the particular MSC/MSE Commander. The MSC/MSE Commander will determine if the subject/issue of Request Mast is beyond his/her scope to resolve. The Marine does not have a vested right to request mast with a higher commander. The authority to hear request masts resides with the immediate Commanding General/Commander of the Marine requesting mast. The Inspector will review all Request Mast applications addressed to the Commanding General.

(1) The Inspector will not respond to nor deny a Request Mast on behalf of the Commanding General, but will make appropriate recommendations pertaining to the Request Mast to the Commanding General.

(2) The Marine will prepare a complete written statement covering the reasons for Request Mast. Supporting documents should be attached to the statement. The statement may also include a list of witnesses with a summary of the expected testimony of each witness.

(3) Any lawful communication made to the Inspector will also constitute a protected disclosure under the Military Whistleblower Protection Act. Therefore, in addition to the protection afforded a Marine for exercising his or her right to Request Mast under U.S. Navy Regulations and this Order, further protection is afforded under 10 U.S.C. Section 1034, Military Whistleblower Protection Act as implemented by SECNAVINST 5370.7.

e. Once a Marine has had the opportunity to communicate directly with the commander named in block 8a, or has been satisfied with the action taken by a commander subordinate to the officer named in block 8a and voluntarily withdraws the Request Mast, the Marine and a witness will jointly complete Part III of the NAVMC 11298.

f. References (a) and (c) contain procedures for a requesting mast with the Commanding General, Marine Forces, Pacific, the Commandant of the Marine Corps, or the Secretary of the Navy. There is no right to a personal audience with any higher commander.

g. Procedures for the conduct of a Request Mast by the Inspector General of the Marine Corps are contained in enclosure (2), reference (a).

6. Request Mast by Individuals within Deployed Units

a. Commanders and officers in charge will ensure that personnel with units deployed away from the immediate geographical location of parent organizations are afforded the same rights with respect to Request Mast as individuals remaining with parent organizations.

b. A Marine assigned to a deployed unit desiring to Request Mast with a commander not present with the deployed force will submit a detailed written explanation of the reasons for the request. The local commander or officer in charge will aid the individual in preparation of this statement as desired by the Marine requesting mast. If the requester does not desire to divulge the reasons for requesting mast to intermediate commanders, a written explanation will be submitted in a sealed envelope and attached to the Request Mast form (See para 5b). Each case will be considered on an individual basis by the commander before whom the individual desires to appear. The Marine requesting mast may be authorized temporary additional duty orders to appear at Mast, a detailed written response to the request may be provided, or he/she may be visited at the deployed location. Any written response will include as a minimum:

(1) An acknowledgment of receipt of the Request Mast.

(2) A statement as to the commander's decision regarding the individual's request to appear at mast.

(3) Specific instructions to the requester as to alternative courses of action available to him or her to aid in resolving the problem.

(4) An explanation of the action taken to resolve the problem.

c. Requests by individuals with deployed units to appear at Request Mast will be processed with the same sense of urgency as if the requester were not deployed, but will allow for mailing time. For a Request Mast with the Commanding General, the request should be addressed to the appropriate headquarters (Attn: Inspector) and forwarded via the chain of command.

d. Telephone, electronic mail, or priority message communication are authorized in cases of individuals assigned to deployed units requesting mast with commanders not present. Such communications must contain sufficient information to allow the command before whom the requester desires to appear to immediately initiate effective action in resolving the problem.

7. Command Request Mast Program. Each echelon of command down to the lowest administrative unit must have a command Request Mast program which incorporates the policies and procedures set forth in this Order and enclosure (1) of reference (a).

8. Other Provisions

a. The formal procedures contained in this Order are designed to guarantee access by Marines to their superiors in the chain of command. This Order recognizes that Marines who believe themselves to be the victims of indifference or injustice on the part of their leaders do not uphold the traditional standards of the Marine Corps. Subparagraph 1100.3 of reference (d) additionally directs that Commanders must:

(1) Strive for forceful and competent leadership throughout the entire organization.

(2) Inform the Marines of plans of action and milestones, and reasons thereof, whenever it is possible and practicable to do so.

(3) Endeavor to remove on all occasions those causes which make for misunderstanding or dissatisfaction.

(4) Assure that all members of the command are acquainted with procedures for registering complaints, together with the action taken thereon.

(5) Build a feeling of confidence which will ensure the free approach by subordinates for advice and assistance not only in military matters but for personal problems as well.

b. Nothing in this Order is intended to expand or abridge the rights of Marines otherwise guaranteed by the First Amendment to the U.S. Constitution, Federal Law or Departmental or Marine Corps Directives. The exercise of such rights is not governed by the procedures contained in this Order.

9. Action

a. Commanding Officers of Headquarters and Service Battalion, 3d Intelligence Battalion, 31st Marine Expeditionary Unit, Seventh Communication Battalion, and Officers in Charge will:

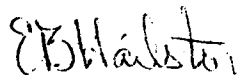
- (1) Establish and publish a command Request Mast program.
- (2) Maintain statistical information concerning Request Mast for two years in accordance with paragraph 3004 and Appendix C-1 of reference (e).
- (3) Properly safeguard the records, proceedings, and final disposition of Request Mast cases to prevent such information from having a prejudicial effect on the Marine.
- (4) Establish and monitor procedures so that follow-up action is properly accomplished in a timely and adequate manner.
- (5) Maintain Request Mast records separately from service records.
- (6) Ensure compliance with applicable provisions of this Order.
- (7) Exercise those disciplinary or administrative options considered appropriate if a Marine attempts to interfere with or take reprisal against any Marine exercising his or her right to Request Mast.

b. III MEF Inspector

- (1) Interview all Marines requesting mast with the Commanding General.
- (2) Prescribe and supervise follow-up procedures appropriate in each Request Mast case to ensure complete resolution of problems brought to the Commanding General.
- (3) Properly safeguard the records, proceedings, and final dispositions of Request Masts to prevent such information from having a prejudicial effect on the Marine.
- (4) Ensure compliance with applicable provisions of this Order.

c. MSC Commanders

- (1) Establish policy and procedures for Request Mast within your command in accordance with the references and this order.
- (2) Forward all Request Masts to be heard by the Commanding General, III MEF to the III MEF Inspector.



E. B. HAILSTON

DISTRIBUTION: List I

Copy to: CG MCB, CAMBUT (2)
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MARINE CORPS REQUEST MAST APPLICATION

NAVMC 11296 (Rev. 6-97)

SN: 0000-00-888-0350 U/I: EA

PRIVACY ACT STATEMENT

Authority: Title 5, U. S. Code 301; Title 10, USC Section 5013

Principal Purpose: Formal filing of complaints/problems to command personnel.

Routine Uses: To provide a record to facilitate personnel management actions and decisions; to serve as a data source for complaint/problem information and resolution efforts.

Disclosure: Disclosure is voluntary. Failure to complete the requested items could result in delayed command action and/or an inaccurate/incomplete analysis of the complaint/problem.

PART I: TO BE COMPLETED BY THE APPLICANT

1. NAME:

2. RANK:

3. SSN:

4. UNIT:

5. RACE/ETHNIC GROUP:

6. GENDER:

7. DATE:

8a. I desire to Request Mast with: (Provide the name and billet of the Commanding Officer with whom you desire to communicate.):

8b. NATURE OF COMPLAINT/PROBLEM: (Give in as much detail as possible the basis of your complaint; describe the incident(s)/behavior(s) and date(s) of the occurrence(s); the names of the individuals involved, witnesses and to whom it may have been previously reported. Include any other information relevant to your complaint/problem. Attach additional sheets, as needed).

8c. REQUESTED REMEDY/OUTCOME: (Clearly state what assistance or complaint resolution you are seeking from the commanding officer named in 8a above.)

9. AFFIDAVIT

I, _____, have read this statement which begins in Block 8b on this page (page 1) and ends on page _____. I fully understand the statement made by me and certify the statement is true. I have initialed all corrections. I make this formal statement without threat of punishment and without coercion, unlawful influence, or unlawful inducement.

(SIGNATURE OF APPLICANT/DATE)

ENCLOSURE (1)

PART II: TO BE COMPLETED BY THE OFFICER CONDUCTING REQUEST MAST

10. DISPOSITION: (Provide a detailed explanation of actions taken or attempted to resolve the complaint/problem, to include any other referrals. If an inquiry/investigation was initiated as a result of this complaint, provide the type conducted and the results. Attach additional sheets as necessary.)

COMMANDING OFFICER SIGNATURE/DATE

PART III: APPLICANT'S ACKNOWLEDGMENT OF REQUEST MAST

(Applicant should initial/complete the appropriate statement(s))

_____ I have had the opportunity to communicate directly with my Commanding Officer named in Block 3a and understand the disposition or probable disposition of my problem/complaint.

_____ I have had the opportunity to communicate directly with _____ (name and billet of commanding officer subordinate to officer named in Block 3a), understand the disposition or probable disposition of my problem/complaint, and voluntarily withdraw this Request Mast.

_____ I have not had the opportunity to communicate directly with my Commanding Officer named in Block 3a.

_____ I have had the opportunity to communicate directly with my Commanding Officer named in Block 3a but have not been informed of the disposition or probable disposition of my problem/complaint.

WITNESS SIGNATURE/DATE

APPLICANT'S SIGNATURE/DATE